

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BRIGGETT PHELPS,  
Plaintiff,

v.

SALVATION ARMY, et al.,  
Defendants.

Case No. [24-cv-00670-TLT](#)

ORDER: DISMISSAL FOR FAILURE TO  
SERVE DEFENDANT AND PAY FILING  
FEES

This action was filed on January 5, 2024. (ECF. 1.) Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, Plaintiff has 90 days to complete service of the complaint and summons on Defendant, such that April 4, 2024 was the last day to complete service or to file a Motion for Administrative Relief from the deadline pursuant to Civil L.R. 7-11.

To date, no proof of service has been filed. In addition, the Plaintiff failed to pay the filing fee as ordered by the Court. Payment was due on March 22, 2024 and May 31, 2024. (ECF 5.) To date, the filing fees have not been tendered.

Finally, the correspondence sent to the Plaintiff was returned to the Court marked “undeliverable”. (ECF 11.)

The Case Management Conference (CMC), originally scheduled for August 22, 2024, is hereby vacated (ECF 9.)

For the reasons stated above:

IT IS HEREBY ORDERED that this matter is DISMISSED for failure to comply with the deadline to complete service on Defendant, failure to comply with court orders, failure to advise the court of a current mailing address, or to file a Motion for Administrative Relief.

The Clerk of the Court is ordered to close the case and terminate the matter.

**IT IS SO ORDERED.**

Dated: July 2, 2024

  
TRINA L. THOMPSON  
United States District Judge

United States District Court  
Northern District of California